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TAGS: PGOV PHUM PREL XL
SUBJECT: RAPE VICTIM DROPS CASE; GONSALVES SET FOR
ELECTIONS IF HE CHOOSES

Classified By: Charge d'Affaires D. Brent Hardt, reasons 1.4 (b and d)

SUMMARY

¶11. (C) Alleged rape victim and police constable Michelle Andrews, who filed rape charges against Prime Minister Gonsalves in January, replaced her lawyers and discontinued all legal proceedings against the Prime Minister in a snap decision that caught her previous legal counsel completely by surprise. According to reliable Embassy contacts, Gonsalves, through a third party, pressured and finally bribed Andrews and her mother to drop the case -- leading to speculation that Gonsalves decided to resolve the matter in anticipation of calling early elections. With the opposition disorganized and demoralized and with construction on a new airport underway, elections sooner rather than later could well be advantageous to Gonsalves' reelection.

RAPE CHARGES DROPPED

¶12. (U) On September 17, Caribbean Net News reported that alleged victim Michelle Andrews dropped all rape proceedings against Prime Minister Gonsalves. Andrews, who filed the rape allegations against Gonsalves in January, had previously contended that Gonsalves raped her while she was on duty at the Prime Minister's official residence on January 1. Andrews initially retained the services of two prominent lawyers, Nicole Sylvester and Kay Bacchus-Browne. The allegations were subsequently discontinued by the Director of Public Prosecutions, Colin Williams. Andrews and her lawyers challenged the discontinuation in the St. Vincent High Court and the Eastern Caribbean Court of Appeals, however both challenges were defeated. In August, Sylvester and Bacchus-Browne filed documents in the family court system in an effort to continue the case.

¶13. (U) On September 12, without consulting her lawyers and while Nicole Sylvester was off island, Andrews retained a new lawyer, Judy Martin, from the law firm Marks, Martin and Associates. Ronald Marks of the same firm is an active member of the Gonsalves' ruling Unity Labor Party (ULP) and previously served as a senator in Gonsalves' ULP government. On behalf of the victim, Martin filed court documents on September 15 discontinuing all of the claims against the defendant. Sylvester and Bacchus-Browne were not notified by the victim that she was changing lawyers and, her previous counsel contends, the normal legal process of notification was not followed.

VICTIM BRIBED?

¶4. (C) Ahead of the news story, Embassy contacts anticipated that a deal was in the making. They noted that an insurance company executive with ties to the Gonsalves government, Beresford Phillips, was the likely conduit through which Andrews was offered a payoff to drop charges. Phillips is on the ULP's short list to contest one of the constituencies held by the opposition and serves as the Chairman of the St. Vincent Housing Board. Reportedly he offered the victim, Michelle Andrews, US\$185,000 cash, a government subsidized low-income house worth US\$112,000, and an opportunity to study abroad. Andrew's mother, no longer able to handle the stress and weakened by the entire ordeal, played a large role in convincing her daughter to sell out, contacts report. The cash portion of the payoff was deposited into Andrew's mother's bank account in Canada.

STAGE SET FOR EARLY ELECTIONS

0_000&CxQ'QMdQQ. (C) If the political winds and polls show he has a favorable chance of victory, Andrews' previous lawyers, Sylvester and Bacchus-Brown, and opposition leaders believe Gonsalves is clearing the decks ahead of calling early elections. Leaders of the opposition New Democratic Party speculated that Gonsalves will call elections sometime in the first half of 2009, Sylvester believes it will come in the next three months, but said Gonsalves would hold any plans of elections close to his chest.

COMMENT

¶6. (C) This latest development clearly took the alleged victim's previous lawyers completely by surprise. A parallel announcement in local press that lawyers' tax returns in St. Vincent would be coming under closer scrutiny probably did not go unnoticed in the legal community either. With the PM's friends now serving as the alleged victim's counsel, this case is likely closed. The opposition, meanwhile, seems singularly unable to mount any pressure on the PM despite two rape allegations and a controversial decision to initiate diplomatic ties with Iran -- issues on which former PM Jon Mitchell recently told the Ambassador that "any idiot could make something out of."

¶7. (C) With this case behind him, the opposition in the doldrums, and with the recently-announced groundbreaking on his airport project, Gonsalves is certainly in a good position to call elections. If he does, absent Mitchell retaking leadership of the opposition (something he has not ruled out), Gonsalves would stand a good chance of securing a second term. However, as Mitchell noted to the Ambassador, calling early elections would mean foregoing 2 years in power to gain three (i.e., a new 5-year term). With that outlook, it would make sense for Gonsalves to hold out as long as he can before calling elections, to maximize the time the party could stay in power. As long as airport construction continues and the opposition remains in disarray, and assuming he can restrain himself from further indiscretions, Gonsalves appears to be in the political catbird's seat for the time being.

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